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July 30, 2008

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## BY FAX

Hon. Richard J. Holwell  
United States District Judge  
U.S. District Court for the Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: *Kellerman v. Liebman*,  
No. 08 Civ. 5295 (RJH)

Dear Judge Holwell:

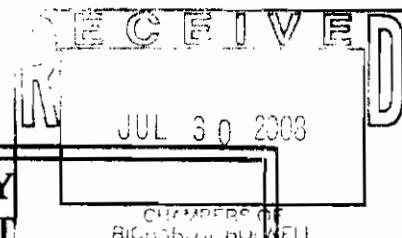
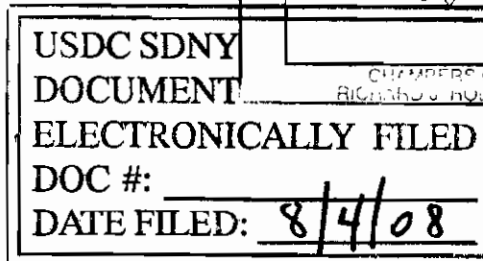
We represent defendant Jon Liebman in the above-captioned action. We respectfully submit this letter to the Court as provided by the Court's Individual Practices. The parties have reached an agreement in principle as to the resolution both of the California proceedings and this action and are engaged in documenting the agreement. Counsel for the parties have agreed to extend the time to file and serve reply papers on the pending motion to dismiss to August 28, 2008. The Court has previously granted extensions from the original date of July 15, 2008 to July 22, 2008 and from July 22, 2008 to August 4, 2008. We respectfully request that the Court grant this agreed-upon extension.

Respectfully,

*Christina T. Shay*  
Christina T. Shay

SO ORDERED

*[Signature]*  
USDT 7/31/08



WACHTELL, LIPTON, ROSEN & KATZ

Hon. Richard J. Holwell

July 30, 2008

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cc: Judd Burstein (by hand)